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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

BARTELL RANCH LLC, et al.,)	Case No.: 3:21-cv-80-MMD-CLB
)	(LEAD CASE)
Plaintiffs,)	
)	ENVIRONMENTAL PLAINTIFFS'
)	NOTICE OF SUPPLEMENTAL
ESTER M. MCCULLOUGH, et al.,)	AUTHORITY OF THE NINTH
)	CIRCUIT'S DENIAL OF THE
)	PETITION TO REHEAR ITS
Defendants,)	ROSEMONT MINE DECISION
)	
)	
LITHIUM NEVADA CORPORATION,)	
)	
Intervenor-Defendant.)	

WESTERN WATERSHEDS PROJECT, et al.,

Plaintiffs,

RENO SPARKS INDIAN COLONY, et al.,

Intervenor-Plaintiff,

BURNS PAIUTE TRIBE,

Intervenor-Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
INTERIOR, et al.,

Defendants,

LITHIUM NEVADA CORPORATION,

Intervenor-Defendant.

Case No.: 3:21-cv-103-MMD-CLB
(CONSOLIDATED CASE)

Plaintiffs, Western Watersheds Project, et al., (WWP) file this Notice of Supplemental Authority of the Ninth Circuit's decision denying the Petition for Rehearing/Rehearing En Banc filed by the Rosemont Copper Company of the Ninth Circuit's Opinion issued on May 12, 2022, Center for Biological Diversity v. U.S. Fish and Wildlife Service, 33 F.4th 1202 (9th Cir. 2022)(Rosemont Mine Decision).

WWP relied on the Rosemont Mine Decision in its response/reply summary judgment brief (ECF No. 264). Federal Defendants and LNC presented their arguments on the Rosemont Mine Decision in their summary judgment reply briefs. ECF No. 267 (Federal Defendants), ECF No. 270 (LNC).

On July 27, 2022, the Rosemont Copper Company filed its Petition for Rehearing/Rehearing En Banc. The federal government public land agency defendants did not

1
2 seek rehearing. Amicus briefs in support of Rosemont's Petition were filed by the National
3 Mining Association, and the American Mining and Exploration Association.

4 On August 22, 2022, the Ninth Circuit issued its Order denying Rosemont's Petition.
5 "The petition for panel rehearing and rehearing en banc is DENIED." Order at 2 (attached).
6

7 Respectfully submitted this 23rd day of August, 2022.

8 /s/ Christopher Mixson

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27
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Certificate of Service

I, Roger Flynn, certify that I served the foregoing on August 23, 2022, by filing it with this Court's ECF filing system, where all parties are represented.

/s/ Roger Flynn